Attorney Docket No. 50277-1747

AUG 0 2 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In recording to the confirmation of:

Steven Viavant, et al.

Serial No.: 09/945,160

Filed on: August 31, 2001

Attorney Docket No. 50277-1747

Confirmation No.: 1591

Examiner: Divecha,

Kamal B

Group Art Unit No.: 2151

For: TECHNIQUES FOR SERVER-CONTROLLED MEASUREMENT OF CLIENT-SIDE

PERFORMANCE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is at least one copy of Form PTO/SB/08 (A or B) together with copies of the documents cited on that form, if needed. Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

	37 C.F.R. §1.97(b). It is respectfully requested that the cited documents be considered and that each enclosed Form PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned.
\boxtimes	37 C.F.R. §1.97(c). If so, then this Information Disclosure Statement includes one of the following:
	A statement pursuant to 37 C.F.R. §1.97(e)

	1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
	1.97(e)(2) The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.
	A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).
enclosed For	rully requested that the cited documents be considered and that each rm PTO/SB/08 be initialed by the Examiner to indicate such and a copy thereof returned.

37 C.F.R. §1	.97(d). If so, then this Information Disclosure Statement includes the following:
A s	statement pursuant to 37 C.F.R. §1.97(e)
	1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; OR
	1.97(e)(2) The undersigned hereby states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.
	AND
	A check for \$180.00 for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.
enclosed F	etfully requested that the cited documents be considered and that each form PTO/SB/08 be initialed by the Examiner to indicate such ion and a copy thereof returned.
disclosure Examiner respectful enclosed l considera does not c	§1.97(i). The undersigned is submitting references to satisfy obligations in hopes that the references will be considered by the Although the submission does not fully meet 37 C.F.R. §1.97, it is ly requested that the cited documents be considered and that each Form PTO/SB/08 be initialed by the Examiner to indicate such tion and a copy thereof returned. It is understood that if the Examiner consider the cited references, the cited documents will be placed in the ant to 37 C.F.R. §1.97(i).
	ly, copies of the references as listed on each enclosed Form PTO/SB/08 ted herewith, if needed. No certification or fees are deemed necessary.

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302.

	Respectfully submitted,
Dated: $\frac{7}{25}$, 2007	HICKMAN PALERMO TRUONG & BECKER LLP
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2055 Gateway Place, Suite 550 San Jose, California 95110-1089 Telephone: (408) 414-1080 Facsimile: (408) 414-1076	
	eposited with the United States Postal Service as first class mail with sufficient endment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
Darrel Jacks (Typed or printed name of person mailing (Signature of person mailing corre	

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Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 2

Complete if Known		
Application Number	09/945,160	
Filing Date	August 31, 2001	
First Named Inventor	Steven Viavant	
Art Unit	2151	
Examiner Name	Divecha, Kamal B	
Attorney Docket Number	50277-1747	

U.S.PATENT DOCUMENTS					
Cite No.1	Document Number Number-Kind Code ^{2 (I known})	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
\square	6,006,260	12-21-1999	Barrick, Jr. et al.		
\square					
	Cite No.1	No. ¹ Number-Kind Code ^{2 (f known})	Cite Document Number Publication Date MM-DD-YYYY Number-Kind Code ^{2 (f Known})	Cite Document Number Publication Date Name of Patentee or Applicant of Cited Document Number-Kind Code ^{2 (If Known})	

	FOREIGN PATENT DOCUMENTS					
Examiner Cite Initials* No.1		Foreign Patent Document	Publication Date	Name of Datastas as	Pages, Columns, Lines,	
		Country Code ³ Number ⁴ Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T [®]
		EP 952 522 A2	10-27-1999	Nippon Telegraph & Telephone corp.		
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aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449B/PTO **Application Number** 09/945,160 INFORMATION DISCLOSURE August 31, 2001 Filing Date STATEMENT BY APPLICANT First Named Inventor Steven Viavant Art Unit 2151 (Use as many sheets as necessary) **Examiner Name** Divecha, Kamal B 50277-1747 Sheet **Attorney Docket Number** of 2

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		EUROPEAN PATENT OFFICE, "Communication pursuant to Article 96(2) EPC", Application No. 02728908.1, dated June 19, 2007, 10 pages.	
		CLAIMS, Application No. PCT/US02/12695, 9 pages.	
Examiner Signature		Date Considered	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.